

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

LAWRENCE EARL WILSON,

Petitioner, : Case No. 3:19-cv-266

- vs -

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

RHONDA RICHARDS, Warden,  
Franklin Medical Center,

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Respondent.

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**ORDER**

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This habeas corpus action is before the Court on Petitioner's Motion to expand the record to include a portion or portions of the trial transcript in this case and to extend his time to file a reply until three weeks after the transcript has been filed and furnished to him (ECF No. 31).

As Petitioner notes, no portions of the trial transcript are included in the State Court Record filed by Respondent (ECF Nos. 22 and 25). Wilson argues the trial transcript is necessary because he has "raised serious concerns about the constitutional soundness of his conviction, sentence, and imprisonment, which calls into question the factual predicate on which the state court relies, this Court is unable to consider them because there is no record of Petitioner's actual trial proceedings to review." (ECF No. 31 at PageID 1197.)

However, the "constitutional soundness" of Wilson's conviction is not before this Court in the present case. Wilson filed a prior habeas corpus petition in which he challenged his conviction on various constitutional grounds. This Court dismissed the Petition and the Sixth Circuit

affirmed. *Wilson v. Hurt*, 29 F. App'x 324 (6th Cir. 2002) (per curiam). On numerous occasions since then, Wilson has sought leave to file a second petition; leave has been denied on every occasion. *In re Wilson*, No. 13-3192 (6th Cir. Aug. 13, 2013); *In re Wilson*, No. 06-3263 (6th Cir. Oct. 4, 2006); *In re Wilson*, No. 02-4430 (6th Cir. May 14, 2003); *In re Wilson*, No. 19-3310 (6<sup>th</sup> Cir. Oct. 11, 2019)(ECF No. 3).

In this case the Sixth Circuit found Wilson did not need permission to proceed on his Third and Fourth Grounds for Relief because they all arose since the last denial. *Id.* Those claims, now re-filed as Grounds One and Two in the Amended Petition (ECF No. 7). Those claims challenge only the denial of parole the most recent time Wilson was before the Adult Parole Authority. Therefore transcripts of what occurred at trial are not relevant to the pending Petition and the Court DENIES Wilson's Motion to expand the record with those transcripts and furnish him with copies.

Wilson's time to file a reply is extended to and including September 9, 2020.

August 19, 2020.

s/ *Michael R. Merz*  
United States Magistrate Judge